

St. Andrew's Lutheran Church



Policies for Creating and Maintaining a Safe Community

11555 National Blvd
Los Angeles, California
October 2013

**In envisioning how we might live out our call to be
a safe community at St. Andrew's, we believe that:**

- The ideal environment for people to grow in faith and know God is one that is physically and emotionally safe.
- Parents need to feel assured of their children's safety in all church activities and of the church's commitment to provide for their children's safety, in order to focus on worship and their own spiritual growth.
- Staff and volunteers need to be equipped, protected, supported and accountable as they lead and nurture children.

TABLE OF CONTENTS

<u>Page</u>	<u>Topic</u>
1-	Introduction
2-	Sexual Harassment Policy
4-	Safe Church Policy
8-	Educating Children
9-	Standards of Behavior
12-	Safe Community Program
13-	Approval and Signatures

SEXUAL HARASSMENT POLICY

It is the policy of St. Andrew's Lutheran Church that sexual harassment and misconduct will not be tolerated. Any complaint of sexual harassment and misconduct will be dealt with quickly and confidentially. Our Policy applies to clergy, lay employees and volunteers. The intent of this Policy statement is to make certain that responses to any allegation of sexual harassment and misconduct be just and compassionate for all involved, and that all parties be heard.

Definition of Sexual Harassment and Misconduct

Sexual harassment and misconduct refers to behavior which is not welcome to the recipient and that is personally offensive. There are many forms of offensive behavior including, but is not limited to:

- Unwelcome sexual advances, leering, whistling, or sexual gestures
- Deliberate assaults or molestation
- Questions or comments about sexual behavior
- Gender based harassment
- Undesired physical contact
- Inappropriate comments about clothing or physical appearance
- Persistent sexually-oriented humor or language
- Continued or repeated jokes, language, epithets or remarks of a sexual nature
- Causing another person to engage in a sexual act by threatening that other person, placing that other person in fear or asserting undue influence over that other person
- Providing or displaying pornographic media to a person below the age permitted by law
- Any attempt to engage in or perform any of the above
- Any additional activity that is covered either by Federal or State laws

Reporting

Any person who believes that they have experienced or witnessed sexual harassment or misconduct, or have had a sexual harassment or misconduct issue reported to them should report it immediately to:

- The President of the Congregation's Council or his/her designated representative; or
- The senior pastor of this Congregation, or

St. Andrew's Lutheran Church Safe Community Policies

- Reports involving a rostered member of the ordained clergy or rostered lay person at St. Andrew's Lutheran Church, shall also be promptly reported to the Bishop of the local Synod.

If required by law, ordinance or similar regulations, a designated member of the Congregation shall immediately report this incident to the proper authorities.

Investigation

- Each incident that is reported will be promptly investigated with confidentiality, care and concern for all involved by the Congregation Council or designated committee.
- Investigation will include interviews with all concerned.
- Investigation will include review of all relevant documentation.
- The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Should an individual's words or conduct be determined to constitute misconduct or harassment, recommendations for action will be developed and appropriate action will be taken. The action taken will depend on the severity of the situation.
- The Congregation Council will be sensitive to the needs of all involved and shall provide any support necessary including counseling during the investigation and response.

Response

- The Congregation Council or designated committee will review all information obtained during the investigation, and when deemed necessary, will seek legal counsel to assist in the investigation and resolution.
- The Council, or committee, upon reaching a course of action, will meet separately with the person filing the complaint and then with the accused to communicate the results and resolution.
- The Council may recommend a course of action that may include counseling, education, or disciplinary action.
- If a complaint is not substantiated, all parties will be informed.
- St. Andrew's Lutheran Church will not engage in or tolerate retaliation against any clergy person, lay employee, or volunteer for making a good faith claim of misconduct or harassment or providing information relating to such complaints during an investigation.

Communication of Policy

This Policy shall be given to and reviewed with the Congregation's clergy and employees to ensure their understanding and support of this Policy. This review shall take place on a regular basis. Their signature below indicates that the individual employee has reviewed, understands and supports this policy statement.

In addition, the Congregation shall periodically publicize this Policy to all its members and volunteers through church bulletins and other appropriate forms of communication.

SAFE CHURCH POLICY

It is the policy of St. Andrew's Lutheran Church to provide the safest possible ministry environment for children and youth; accordingly, we will maintain approved policies and procedures designed to prevent abuse, while providing a high level of care for our staff and ministry volunteers.

It is not intended that the policy impose rigid law; rather, the policy must be interpreted and applied compassionately in accordance with the theological and Biblical principles of the Gospel. Any actions or decisions by the Church in connection with the policy are to be carried out within the constitutional rights of St. Andrew's and ELCA.

The purpose of the Safe Community Policy and Procedures is to minimize the risk of child abuse at St. Andrew's, and to honor our commitment to helping people discover their God-given gifts and apply them in God's service. It is designed not only to protect families, but also to provide volunteers and staff with resources to encourage a safe community. The secondary purpose is to protect St. Andrew's from financial losses should an incident occur.

The Safe Community Program Policy applies to: 1) All paid staff; and 2) All volunteers who work with children or youth under the age of 18. Individuals under the age of 18 who work with children or youth will also receive information and basic training, including an introduction to standards of behavior.

The policy includes a plan for:

1. Worker Selection and Screening Procedures
2. Worker Training and Standards of Behavior
3. Areas of Responsibility
4. Record Keeping/Confidentiality
5. Understanding and Reporting Suspected Abuse

Worker Selection

Everyone covered by this policy will be properly selected, screened, trained and supervised. Anyone with a background record of criminal sexual or physical abuse will not be accepted or retained as a paid staff person or as a volunteer.

Screening Procedures

Primary Screening Procedures are established for workers who, in the normal course of their duties, are expected to be alone for any period of time with one or more children, or work in a supervisory capacity on our church grounds and offsite church related activities. This includes, but is not limited to, all paid staff, Pastors, administrative assistants, Youth Director, Sunday School and confirmation leaders and teachers, nursery staff, volunteers, and choir directors.

When selecting child/youth workers, we cannot guarantee that an individual will be an effective and safe youth leader, but the selection process helps us gather information to make an informed decision. Therefore, we ask that:

- Ideally, volunteers will be actively involved in the congregation for six months before applying for a position in which they are expected to be alone for any period of time with one or more children.
- Potential child and youth workers provide two references that are acquainted with the applicant's past work with children and youth.
- The direct supervisor of the program area in which the applicant has interest may conduct an interview with the potential worker.
- Volunteers and staff, age 18 and over, participating in St. Andrews' child or youth ministries shall be checked through the appropriate Department of Justice agency for convictions for sexual or physical abuse, felony drug convictions, and felony convictions for violent crimes.

No one will be accepted for youth involvement who has had a criminal sexual or physical abuse violation or conviction.

St. Andrew's Lutheran Church Safe Community Policies

Paid employees and volunteers working with children who were hired prior to October 15, 2013, will complete a Personal Information and Background Investigation Consent Form and will undergo a background check through the service of our choice.

Paid employees and volunteers working with children who were hired after October 15, 2013, are screened through the application process, including pre-hire interviews, reference checks, the Background Investigation Consent Form, and a background check through the service of our choice. Additionally this may include both a National Criminal File and a County Courthouse Search or a search through the Megan's Law Website.

Exceptions may be granted by the ministry supervisor if he or she has prior knowledge of the prospective volunteer. Volunteers with assisting roles in children's programming may also be subject to the above screening procedures.

Paid staff and volunteers may not be alone with one or more children at St. Andrew's or in a St. Andrew's sponsored program until he or she has been cleared through the above screening procedures.

These workers should be regular attendees in the congregation for six months prior to working in the program.

Training

All paid staff and volunteers working directly with children will receive training, as follows:

1. Why St. Andrew's has adopted a Safe Community Program
2. A description of St. Andrews' Safe Community Policy
3. An explanation of the Standards of Behavior for persons who work with children and youth
4. Basic information about child abuse and neglect to understand the issues and be alert to signs of abuse in the children and youth with whom they work, along with the reporting procedures for suspected abuse

Initial training will occur within six months of program implementation and at least every two years thereafter.

Areas of Responsibility

The Safe Community Program is under the direction of the pastors, with certain responsibilities delegated to ministry supervisors and office staff, as follows:

1. Each ministry supervisor of program areas covered by the Safe Community Policy will collect and compile the materials to be kept on file and give them to the associate pastor for filing. This includes the Background Investigation Consent Forms and interviews, where applicable.
2. Background screening is done by one of the pastors or designee. Screening results are reviewed by a pastor and one designee, preferably the ministry steward, and subsequently maintained in files confidentially.
3. Training is conducted by a pastor or a designee.
4. Each volunteer or staff member covered by the program is expected to be a role model for youth, and to adhere to the specific guidelines for his/her position.

Record Keeping/Confidentiality

The following materials will be kept on file for all persons covered by the Safe Community Policy:

1. Background Investigation Consent Form
2. Interview Records, if applicable
3. Proof of Background Investigation with notation of results
4. Training Records

All records will be kept in a locked file in the Pastor's Office. They will be available only to ministry supervisors *on a need-to-know basis*, as approved by the Pastor.

At a worker's request, St. Andrew's Lutheran Church will allow him/her to review his/her confidential record at the church, but in no event shall the church allow the applicant to retain and/or copy his/her transcript.

Results of background screenings are confidential and, therefore, cannot be shared among agencies.

EDUCATING CHILDREN

The Child's Bill of Rights and the Three Rs of Youth Protection are borrowed from the Boy Scouts of America's abuse prevention materials "How to protect your children from child abuse: A parent's guide" outlines some specific strategies your child can use to protect themselves. Parents at St. Andrew's are encouraged to discuss these and the "three Rs" of Youth Protection with your child.

Child's Bill of Rights

When feeling threatened, you have the right to:

- Trust your instincts or feelings.
- Expect privacy.
- Say no to unwanted touching or affection.
- Say no to an adult's inappropriate demands and requests.
- Withhold information that could jeopardize your safety.
- Refuse gifts.
- Be rude or unhelpful if the situation warrants.
- Run, scream, and make a scene.
- Physically fight off unwanted advances.
- Ask for help.

"Three R's" of Youth Protection

- + **Recognize** that anyone could be a child molester and be aware of situations that could lead to abuse.
- + **Resist** advances made by child molesters to avoid being abused.
- + **Report** any molestation or attempted molestation to parents or other trusted adults.

STANDARDS OF BEHAVIOR

These Standards of Behavior for St. Andrew's Lutheran Church are designed to protect children, youth, families, workers and the church. Everyone covered in the Safe Community Program is expected to understand and abide by them.

1. *Two-Adult Rule*

The two-adult rule is preferred and encouraged when working with children and youth. In circumstances where this is not possible, only individuals on the Primary Screening Roster, who have been screened and trained, can ever be alone with one or more children or youth.

Approved volunteers or paid staff may oversee small groups of youth or children. During Sunday School, Confirmation, mid-week programs, VBS, etc., an approved adult present in a supervisory role, making unscheduled visits into class and meeting rooms, serves as a second adult.

Planned individual contact outside the church building shall occur only in public places and with the prior consent of the minor and parent or guardian.

Exceptions to the two-adult rule (i.e. one adult alone with one or more children) are acceptable if: a) the adult worker has been approved on the primary screening roster; b) a trust relationship has been established between the adult, the child, the child's family, and the pastor; c) the ministry supports the activity, and d) there is consent among all individuals.

2. *Positive Discipline*

Discipline used in church activities should be positive, respectful, and caring. Physical punishment and emotional abuse are not permitted. Volunteers and staff should be alert to the physical and emotional health of the children and youth with whom they work.

3. *Open Door Policy*

Staff and volunteers should work with youth in reasonably open places where others are welcome to enter -- not behind closed or locked doors. Parents and guardians are welcome to attend classes, rehearsals, practices, programs, meetings, and events.

4. Guidance/Mentoring

Guidance and mentoring should be as confidential as possible without sacrificing the approved Standards of Behavior. Parental permission is encouraged unless there are extenuating circumstances that compromise the child's wellbeing. The two-adult rule is preferred; however, exceptions that meet the criteria listed in No. 1. (above) are permitted.

5. Transportation

- The parents shall assume primary responsibility for transporting their children and youth to and from activities.
- St. Andrew's will require compliance with the California State driving laws at all times.
- At no time may a driver who is under 18 years of age be permitted to drive other minors to/from St. Andrew's sponsored events.
- Anyone driving children or youth for church-sponsored events must provide a copy of their drivers' license, registration and insurance cards, and update them any time there is a change. These will be kept in a confidential file. It is preferred that another adult, in addition to the driver, be present in the vehicle.
- Drivers are on the Primary Screen Roster, and will be screened and trained accordingly in the Safe Community Program Policies and Procedures. They are expected to abide by the full Standards of Behavior.
- Safety of the child is always the paramount consideration.

6. Respect of Privacy

Adult leaders and staff need to respect the privacy of minors and intrude only insofar as health and safety require. Situations requiring privacy include using rest rooms, changing clothes, and taking showers. Adults need to protect their own privacy in similar situations.

7. Overnight Accommodations

A minimum of two adult leaders should be present at any overnight activity. If youth participants include males and females, the adult leaders will be males and females.

When minors and adults must share a tent, bedroom, or hotel room for the sake of safety and/or cost-efficiency, parents will be informed ahead of time. An adult should not occupy the same bed as a minor.

8. Housing

When private homes are used for overnight events, the program staff member will make final approval of all adults involved as hosts, hostesses, and chaperones. At least two youth will be assigned to each home.

9. Sexual/Physical Activity/Abuse

No sexual activity is permitted between adults and minors or between minors and minors. Sexual comments or jokes, the showing of sexual material, the exposure of sexual parts of the minor's body and/or the adult's body or other sexual behaviors is forbidden. The following acts or behaviors are specifically prohibited:

- Infliction of physically abusive behavior or bodily injury to a minor.
- Physical neglect of a minor, including failure to provide adequate supervision in relation to the activities of St. Andrew's Lutheran Church.
- Mental or emotional injury to a minor.

10. Tobacco and Alcohol

While supervising children and youth on behalf of St. Andrew's Lutheran Church, adult leaders and staff shall refrain from the use of tobacco and alcohol.

11. Substance Abuse and Firearms

The use or possession of illegal substances, the misuse of legal substances and the use of firearms while supervising children on behalf of St. Andrew's is strictly prohibited.

SAFE COMMUNITY PROGRAM
Understanding and Reporting Suspected Abuse
St. Andrew's Lutheran Church

Understanding Child Abuse

There are four types of child abuse, as follows:

1. Physical abuse is the deliberate physical injuring of a child.
2. Sexual abuse is any sexual activity with a child. The abuser may be an adult, an adolescent, or another child, provided the abuser is four years older than the victim. Child sexual abuse may be violent or non-violent. All child sexual abuse is an exploitation of a child's vulnerability and powerlessness in which the abuser is fully responsible for the action.
3. Emotional abuse is maltreatment which causes low self-esteem in a child, undue fear or anxiety, or other damage to a child's well-being caused by such acts as angry fault finding, humiliating and belittling a child for mistakes or failures, and deliberate inattention to a child's emotional needs.
4. Neglect is not providing food, clothing, shelter, health care, psychological nurturing, education, supervision, or other basic necessities.

Reporting Suspected Abuse

According to California's Child Abuse and Neglect Reporting Act, only specially trained individuals, including "child care custodians," are required to report suspected child abuse. Because volunteers are not childcare custodians as defined in the Child Abuse and Neglect Reporting Act, volunteers are not mandated reporters.

However, any individual who has reason to suspect abuse, or is aware of a potentially unsafe condition that could lead to abuse, should immediately report that information to the leader of the program in which the child participates, or to one of the pastors. If the concern is with the leader or pastor, the concern should be brought to that leader's supervisor, or to the Congregation President. The individual may be asked to complete a written report describing the basis for his or her concern.

In addition, anyone may report suspected abuse to Child Protective Services. Non-accusatory reports (reports that identify the victim of abuse or neglect whether or not the person responsible for the abuse or neglect is known) may be made to the local or state law enforcement agency by calling 911 or Child Protective Services.

St. Andrew's Lutheran Church Safe Community Policies

A review of the reported abuse or potentially unsafe condition will be conducted by the direct supervisor and the pastor, and a council member, designated by the Council President. These individuals may consult with others, including legal counsel, as needed. The outcome of their decision will be documented and kept in a locked file in the Senior Pastor's office.

APPROVAL

The Congregation Council of St. Andrew's Lutheran Church has approved these policies as of October 13, 2013.

Clergy and Employee and Volunteer Acknowledgment

Name

Signature

Community Role

Date Reviewed